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CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00142

CASE NAME: IN THE MATTER OF DARRYL TURNER

HEARING:
OSC re: SUSPENSION OF CONSERVATOR/ACCOUNTING REVIEW

COUNSEL:
JANICE ELAINE GOODRICH (PLA)...JANIS L HILKE
DARRYL TURNER (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON O.S.C. re suspension of powers and failure to file accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This matter came on when an accounting review date was set and no accounting was filed. Review of the file establishes that the court waived the requirement for future accountings on 9-23-98. Confusion has been caused by the fact that the petitioner filed waivers of accounting every 2 years thereafter. Each of those set a future accounting date. These are form waivers provided to the petitioner through the Court Investigator's office.
2. We therefore have conflicting orders. We have the order from 8-19-06 ordering the petitioner to file an accounting on 7-1-06 and the order from 9-23-98 indicating that no accountings were required.

RECOMMENDATION:

In light of the earlier order, the court may wish to merely take this matter off calendar and not set future dates.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00330

CASE NAME: MATTER OF JOHN L KOZAK

HEARING:

Hearing Re: PETITION FOR TERMINATION OF CONSERVATORSHIP.

	COUNSEL:
HERBERT DOTY	(PET)...DAVID W BROWN
JOHN L KOZAK	(PCE)...

GENERAL INFORMATION: Continued 8 times. Last on 6-30-06. On 4-29-05, Court ordered bank statements to be filed. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petitioner for termination of conservatorship and final accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service.
2. Final report is for the period 11/29/03 – 1/31/05.
3. The assets are titled in the name of the John and Dorothy Kozak trust, but are apparently still considered assets of the conservatorship.
4. Conservator waives fees.
5. Attorney requesting fees of \$1,920. Although there is no request in the body of the petition, there is a request for fees in the prayer. There is no itemization. File itemization.
6. Accounting is off by \$19,754.33. **Supplement filed does not explain discrepancy.**
7. On 10-17-02 there is an entry stating "Bank Fee returned check \$10,000". Please explain.
8. Pr.C. § 2620 was amended 1-1-02. Original account statements showing the balance at the end of the accounting period must accompany all accountings in

conservatorship and guardianships. Here no bank statements have been filed. Please file original bank statements.

9. Petitioner alleges that the assets will be distributed per the trust. If the assets are already titled in the trust what is it that the court needs to supervise? There is no need for an order to turn the assets over to the trust.

RECOMMENDATION:

After notes are corrected the court will have to determine if it wants to set a control date for proof of distribution and final discharge. As explained in number 9 above, it would appear to be unnecessary.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00391

CASE NAME: CONSERVATORSHIP OF JAMES W. MOOMAW

HEARING:

Hearing Re: PTN FOR ORDR TERMINATING FINAL ACCNTG&CONSERVATORS.

COUNSEL:

WANDA M LOWRY	(PET)...	ROLF D RITSCHEL
JAMES W MOOMAW	(CEP)...	
VERNA LYNN NORRIS	(OBJ)...	PRO/PER
PUBLIC GUARDIAN	(PRO/PER)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for termination and final accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that the assets of the estate are from S.S.I., VA, PERS and Civil Service Pension. The monthly income from non-public benefit would be under \$1,000 per month. However, the estate still does not qualify for a waiver of accounting in that at the time of the last accounting, even after deducting fees and reimbursements, there was still \$18,138.35 in assets. Hence, under Pr.C. § 2628 estate would not qualify for a waiver of accounting. No accounting is attached to this petition.

RECOMMENDATION:

Require petitioner to file a final accounting.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00461

CASE NAME: MATTER OF NATALIE L SESSA

HEARING:

Hearing Re: PTN FOR ALLOWANCE OF COMPENSATION.

COUNSEL:

BRUNO L SESSA	(CPE)...PRO/PER
NATALIE L SESSA	(CEP)...
PUBLIC GUARDIAN	(SC)...RONALD D REITZ, COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for allowance of compensation

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the Public Guardian. Public Guardian requests fees of \$350 for services to the estate. Public Guardian also points out that the inventory and appraisal shows -0- assets. From whom does Public Guardian propose to be paid?
2. Public Guardian bases their fees on a sliding fee scale, hence, there is no itemization.
3. County Counsel requests fees of \$40. The same problem with payment arises as to County Counsel's request for fees.

RECOMMENDATION:

None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00482

CASE NAME: MATTER OF JUDITH E SCOTT

HEARING:
Accounting Review

COUNSEL:
HAROLD R SCOTT (CPE)...DAVID W BROWN
JUDITH E SCOTT (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship has already been terminated.

RECOMMENDATION:
Matter may go off calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00497

CASE NAME: MTR OF DOROTHY MAE SGANTAS

HEARING:
Trial Setting Conference

COUNSEL:
PETRINA DELMAN (PET)...ROBERTA L TAYLOR
ROSALENE SGANTAS (PET)...ROBERTA L TAYLOR
DOROTHY MAE SGANTAS (CPE)...
MICHELE SGANTAS (RES)...JAMES S TERRELL
PHILLIP BOSTON ()...

As this is set for Trial Setting Conference no calendar notes will be prepared.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00529

CASE NAME: MATTER OF MAMIE TAYLOR

HEARING:
Petition for Appointment of Conservator

COUNSEL:
RONNETTA PULLINS (PET)...PRO/PER
MAMIE TAYLOR (PCE)...DAVID & TURNER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for conservatorship of the person and the estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File return of citation.
2. File notice of hearing and proof of service on all relatives within the second degree.
There is a notice and acknowledgement allegedly signed by mother and daughter. However, it appears to be in the same hand.
3. Conservatee does not reside in this county. Petitioner has indicated that it is in the best interests of the Conservatee to have conservatorship in this county. Why?
Supp: Petitioner requests proposed conservatee be moved to this county to better afford housing. Petitioner alleges proposed conservatee's belongings are in storage in Victorville and proposed conservatee is currently living with petitioner's mother but petitioner's mother is not allowed to have anyone living with her. JTD
4. Petitioner requests 2590 powers: Specifically, the power to grant options, the power to purchase real/personal property, the power to compromise and pay claims, the power to employ agents, attorneys, and medical powers on behalf of conservatee. If granted, the court may wish to require any sales of real property and/or requests for attorney's fees to be confirmed by court.

5. Petitioner alleges that the Conservatee has advanced Alzheimer's disease, but does not request dementia powers. **In a supplement petitioner requests dementia powers. Capacity declaration submitted does not deal with dementia. Will have to file capacity declaration supporting this request. Court has appointed Sandy Turner for Conservatee.**
6. Petitioner has not checked box 1(g) requesting medical powers, but has checked box 9 requesting medical powers. Is petitioner really seeking medical powers?
Supp: Capacity declaration would support request.
7. Court Investigator report in file. Conservatee **CAN** complete voter affidavit.
8. Petitioner requests that bond not be required as she is the granddaughter of the Conservatee and an heir. This is not a legal basis to waive bond. Set bond in the amount of \$326,642.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-4-07. Set hearing for accounting review for 12-2-07. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00537

CASE NAME: MATTER OF HELEN A VANCE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ROBYN L RAGSDALE (PET)...CALDWELL, KENNEDY & PORTER, A.
HELEN A VANCE (CPE)...SHERRI L KASTILAHN

GENERAL INFORMATION temporary letters issued 8-9-06.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship of the person and the estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Medical powers are sought. Capacity declaration supports request.
2. Dementia powers are sought. Capacity declaration supports medication only. Attorney Kastilahn appointed for Conservatee.
3. Petitioner seeks Pr.C. § 2590 powers. Included in the powers sought are the power to sell real property and the power to hire attorneys and accountants. If powers are granted the court should require that any sale or payment of fees be subject to confirmation of the court.
4. It is unclear from the petition if the real property mentioned in the petition is the residence of the Conservatee. For these purposes it will be assumed that it is the residence of the Conservatee. Normally bond would be set in the amount of \$20,000. Petitioner filed bond of \$20,000. However if the court grants 2590 powers then bond should be increased to \$350,600. .

RECOMMENDATION:

If petition granted court will have to set future dates. If 2590 powers granted set bond in the amount of \$350,600, if not then \$20,000. Set hearing for filing of inventory and appraisal for 4-4-07. Set hearing for accounting review for 12-5-07. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00538

CASE NAME: MATTER OF KATHRYN R SCHMIDT

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DAVID BROMBACH	(PET)...	ROBERTA L. TAYLOR & ASSOCIATES
ELIZABETH BROMBACH	(PET)...	ROBERTA L. TAYLOR & ASSOCIATES
KATHRYN R SCHMIDT	(CPE)...	CALDWELL, KENNEDY & PORTER

GENERAL INFORMATION temporary letters issued 8-9-06.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship of the person and the estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Medical powers are sought. Capacity declaration does **not** support this request.
2. Petitioner requests and has filed a bond of \$30,000. It appears that proper bond is \$31,200.
3. Petitioner requests Pr.C. § 2590 powers including the power to hire attorneys and accountants. Court should require that all fees paid be subject to court approval.
4. Court Investigator report is filed with no adverse findings.
5. Petitioner requests power to defend an unlawful detainer action pending against Conservatee.
6. Petitioners filed a petition for order directing Mark Valcore to return property and for damages. The petition alleges Mark Valcore unlawfully took possession of conservatee's residence and is now trying to evict her (UDVS000322). Petitioners request the court to direct Mark Valcore to sign a Quitclaim Deed returning title and pay the estate damages under Pr.C.859.

RECOMMENDATION:

If petition granted court will have to set future dates. Set bond in the amount of \$31,200. Set hearing for filing of inventory and appraisal for 4-4-07. Set hearing for accounting review for 12-5-07. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00539

CASE NAME: MATTER OF BEATRICE BURKE

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MARY JOOSTEN (PET)...ALAN L INGLIS
BEATRICE BURKE (CPE)...SHERRI L KASTILAHN

GENERAL INFORMATION temporary letters issued 8-15-06.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship of the person and the estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court has dispensed notice to the Conservatee. There is no statutory authority for dispensing notice to the Conservatee. Court may wish to reconsider this ruling and order a citation served in accord with Pr.C. § 1823 et seq.
2. Petitioner requests medical powers. Capacity declaration supports request.
3. Petitioner requests dementia powers. Capacity declaration does **not** support request.
4. Dementia powers sought. Attorney Kastilahn appointed to represent Conservatee.
5. Conservatee will not attend.
6. Petitioner requests bond of \$250,000. Per petition amount appears appropriate.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-4-07. Set hearing for filing of status report and/or accounting for 12-5-07. Any accounting to be filed 30 days in advance.

Superior Court of Calif, County of San Bernardino

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00539

CASE NAME: MATTER OF BEATRICE BURKE

HEARING:
Petition for Authority to Consent to Medical Treatment.

	COUNSEL:
MARY JOOSTEN	(PET)...ALAN L INGLIS
BEATRICE BURKE	(CPE)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for medical powers.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. See preceding page.

RECOMMENDATION:
See preceding page.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VFLVS035912

CASE NAME: EDUARDO CHAVEZ -N- JESSICA NIVELA

HEARING:

Order to Show Cause re: CC,OTHER;EXPARTE,FULL CUSTODY filed by
EDUARDO CHAVEZ.

COUNSEL:

EDUARDO CHAVEZ	(PET)...PRO/PER
JESSICA NIVELA	(RES)...

GENERAL INFORMATION This is a family law matter. No research. Appears to be related to matter on page 17 of this calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS00755

CASE NAME: MTR OF STORM MARIE FOIX & LOGAN D FOIX

HEARING:

Hearing Re: PROOF OF GUARD IN WA/TERM OF GUARD.

	COUNSEL:
MARINA FOIX	(PG)...PRO/PER
STORM MARIE FOIX	(MIN)...PRO/PER
LOGAN D FOIX	(MIN)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON proof of guardianship in Washington.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. On 7-18-06 the court allowed the guardian to remove the minor to the state of Washington on condition that a guardianship be established there.
2. No proof filed.

RECOMMENDATION:

Court may wish to set an O.S.C. re termination. Have the clerk give notice to the guardian at the Washington address.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS00847

CASE NAME: MTR OF LOUIE WILLIAM CARTER-ESPARZA & LINZI ROSE C

HEARING:
Petition for Termination of Guardianship

COUNSEL:
VITA T CARTER (PET)...MARILYN C CELLI
LOUIE WILLIAM CARTER-ESPARZA (MIN)...
LINZI ROSE CARTER (MIN)...

GENERAL INFORMATION: Letters originally issued 4/24/200

THIS CASE IS SET FOR HEARING ON Petition for termination filed by guardian

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Each minor has signed a waiver and consent.
2. Petitioner requests guardianship as to minor Louie Carter-Esparza be terminated as he reached majority 5/30/06.
3. Petitioner alleges minor/Linzi Carter has been living with her mother since 5/2005 in a stable residence.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01655

CASE NAME: MATTER OF ALICE BARBARA DONAT
HEARING:

Petition for Termination of Guardianship

COUNSEL:

STANFORD BROOKS (PET)...PRO/PER
SHERRY BROOKS (PET)...PRO/PER
ALICE BARBARA DONAT (MIN)...
SANDY DONAT (PET)...PRO/PER

GENERAL INFORMATION continued from 5-5-06. Court referred matter to Family Court Services. We are awaiting report. Court referred matter to Court Investigator. Court Investigator report is in the file. Continued from 7-7-06. Visitation orders were made at the time of the 7-7 hearing. Nothing new filed.
Letters of Guardianship originally issued 6/25/04

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship, filed by mother, minor 4

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner alleges that petitioner is currently attending a residential treatment program that welcomes children in the recovery process. Petitioner further alleges she has been clean for 14 months. Petitioner requests termination of the guardianship as mother wishes to care for minor or in the alternative, requests the court to grant visitation.
2. Need to file notice of hearing and proof of service on father.
3. Response is filed by guardians. It is not clear whether the pleading is an objection to the termination, though guardian alleges that guardian believes mother needs to show more stability before guardianship is terminated, as well as random drug testing.

RECOMMENDATION: none.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01988

CASE NAME: MTR OF DYLAN KUHNS

HEARING:
OSC re: TERMINATE GUARDIANSHIP/PROOF OF GUARD IN NM

	COUNSEL:
DARLENE SMITH	(PET)...PRO/PER
JOSH SMITH	(PET)...PRO/PER
DYLAN KUHNS	(MIN)...

GENERAL INFORMATION: Letters issued 10/4/05.
Continued from 4/7/06 and 7-14-06. Court authorizes petitioners to appear by courtcall.
No one appeared at the time of 7-14 hearing. Court then continued the O.S.C. re
termination and had the clerk give notice. Nothing new filed.

THIS CASE IS SET FOR HEARING ON O.S.C. re: termination of guardianship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court granted petitioner permission to move to New Mexico on condition that the petitioner provide proof of guardianship in that state. On 2-10-06 the petitioner failed to appear and failed to provide proof and this Order to Show Cause was set. Court indicated that if the petitioner failed to appear, the guardianship would be terminated.
2. Proof of a filing of a petition for guardianship in New Mexico is filed. However it does not appear that the guardianship has been granted to date.

RECOMMENDATION:
Terminate guardianship.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02170

CASE NAME: MATTER OF CHRISTOPHER & ASHLYN NEIMAN

HEARING:
Petition for Appointment of Guardian

COUNSEL:
KURT LEROY (PET)...PRO/PER
PATRICIA LEROY (PET)...PRO/PER
CHRISTOPHER NEIMAN (MIN)...
ASHLYN NEIMAN (MIN)...
CHRISTOPHER NEIMAN (OBJ)...PRO/PER

GENERAL INFORMATION Temporary orders denied. Continued from 7-28-06. On 7-28 the father appeared. If father is objecting court should order him to file written objections. Court referred matter to Court Investigator. We are awaiting report. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by maternal grandparents, minors 9 and 8.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Father appeared at the time of the exparte and objected. Court ordered father to file written objections prior to hearing on 7-28-06. No objections filed to date. If court continues a matter for filing of written objections or response and party fails to serve and file a timely objection or response, the court may deem the objection or response waived. (Cal. Rule of Court, rule 7.801).
2. File notice of hearing and proof of personal service on father.
3. There is currently a custody battle going on between the parents in file VFL 023024. That file is attached to the guardianship file for the court's convenience.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02198

CASE NAME: MATTER OF JOSE MIGUEL CHAVEZ

HEARING:
Petition for Appointment of Guardian

COUNSEL:
MERCY A REYES (PET)...JANIS L HILKE
JOSE MIGUEL CHAVEZ (MIN)...

GENERAL INFORMATION there is a family law matter pending in this case. See page 11 of this calendar.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by aunt, minor 2.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File proof of personal service on mother and father each per Pr.C.1511. Proof of mail service on mother filed. However this notice is deficient service.
2. File proof of mail service on PGP's or due diligence declaration(s).
3. Court previously dispensed with notice to MGM identified as petitioner. However, the petition states the petitioner is the minor's aunt and not MGM. Court may wish to revisit the order dispensing notice.
4. There is some confusion as to who the petitioner is. In some places she refers to herself as the grandmother and in other places she refers to herself as the aunt. Court may wish to clarify.
5. Declaration filed by petitioner in support of a temporary guardianship
6. Court may wish to review confidential screening form.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02210

CASE NAME: MATTER OF NATHAN P YANCOSKY

HEARING:
Petition for Appointment of Guardian

COUNSEL:
HEATHER M ESCOBEDO (PET)...PRO/PER
JERRY L ESCOBEDO (PET)...PRO/PER
NATHAN P YANCOSKY (MIN)...

GENERAL INFORMATION temporary letters issued 8-9-06

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by aunt and uncle, minor 16.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Father signed a waiver and consent
2. Due diligence declaration filed as to mother indicating petitioner was able to contact mother, but unable to serve proper notice. Petitioner also indicates that copies were mailed certified to the address provided by mother. No proof of certified mail return receipt filed. JTD
3. Court may wish to review confidential screening form.
4. DCS report is favorable to petitioners

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02211

CASE NAME: MATTER OF MICHAEL STALLINGS ET AL

HEARING:
Petition for Appointment of Guardian

COUNSEL:
MYRL STALLINGS (PET)...PRO/PER
MICHAEL STALLINGS (MIN)...
MICHEAL STALLINGS (MIN)...
KENNETH REDONDO (MIN)...

GENERAL INFORMATION temporary letters issued

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by grandmother (also she is step-grandmother to one child), minors 9, 7, 4 and 2.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Section 18 of petitions for Micheal Stallings and Kathleen Stallings is not completed. File verified supplement.
2. File notice of hearing and proof of personal service on mother, Linda Abric.
3. File notice of hearing and proof of mailed service on maternal grandparents and paternal grandparents of Kenneth Redondo. Only proof of service of letters of temporary guardianship filed.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02214

CASE NAME: MATTER OF NA'EEM & NZURI THOMAS

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
AMIDAH Z ANSARI	(PET)...PRO/PER
QAADIR A ANSARI	(PET)...PRO/PER
NA'EEM THOMAS	(MIN)...
NZURI THOMAS	(MIN)...

GENERAL INFORMATION temporary letters issued 8-16-06.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by maternal grandparents, minors 11 and 7.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother personally served on 9/6/06
2. Due diligence declaration filed as to father indicating petitioner got an address for father living in Los Angeles. Court may wish inquire why was service not completed.
3. Petitioner has filed a due diligence declaration as to paternal grandfather. Judge to decide if sufficient.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02215

CASE NAME: MATTER OF MAGEN K SOWELL

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
BILLIE-JO COLLIE	(PET)...PRO/PER
GILBERT L COLLIE	(PET)...PRO/PER
MAGEN K SOWELL	(MIN)...

GENERAL INFORMATION temporary letters issued 8-10-06.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by friends, minor 16.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners not related. DCS report is favorable to petition.
2. Father has signed consent and waiver.
3. Mother personally served 8/22/06
4. File notice of hearing and proof of service on paternal grandmother and step-brother or due diligence declaration(s).
5. Court may wish to review confidential screening form.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 09/29/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02216

CASE NAME: MATTER OF DAWN AND IAN NOSS

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
LAURA NOSS	(PET)...WIL R MULLINS
DON WINTER	(PET)...WIL R MULLINS
DAWN NOSS	(MIN)...
IAN NOSS	(MIN)...

GENERAL INFORMATION temporary letters issued 8-14-06.

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by paternal grandmother and step paternal grandfather, minors 4 and 2.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother and father signed consent and waiver
2. Mother personally served 9/19/06
3. Court may wish to review confidential screening form.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002380

CASE NAME: IN RE CLARENCE T HOSKINS LIVING TRUST

HEARING:

Hearing Re: PTN FOR ATTORNEY FEES.

COUNSEL:

TAMERA HOSKINS	(PET)...PAULA FORTHUN-BALDWIN
CLARENCE HOSKINS	(DEC)...
ROBERT C BIXLER	(PET)...DONNASUE SMITH-ORTIZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for attorney fee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The petitioner is the court appointed attorney for the minors. She served in the capacity of guardian ad litem for the minors.
2. Petitioner requests attorney fees of \$1,491 representing 7.1 hours at \$210.
3. Petitioner does not indicate who should be required to pay this amount. File verified supplement.
4. Proof of service filed. However, service is not in accord with Pr.C. § 17203. Notice is deficient in that only a 24-day notice was given and a 30-day notice is required. Need to file timely proof of service.

RECOMMENDATION:

Require verified supplement and proper notice.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002521

CASE NAME: ESTATE OF CHARLOTTE P HAMILTON

HEARING:

Hearing Re: PETN FOR FINAL DISTRIBUTION ON WAIVER OF ACCTG.

COUNSEL:

ELIZABETH HAMILTON (PET)...MICHAEL LEE GILMORE

CHARLOTTE P HAMILTON (DEC)...

NEIL D GITNICK (TP)...JOHN CLARK BROWN

GENERAL INFORMATION Continued from 8-18-06. Court ordered Mr. Gilmore to appear personally at the time of the 9-29-06 hearing. Notice was to be given by Mr. Ripley. Do not see proof of notice in the file. Nothing new filed.

THIS CASE IS SET FOR HEARING ON First and final account and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. What was done with the claim of Neil Gitnick? If no claims were rejected, then did petitioner pay the claim that was not incurred during the decedent's lifetime? File verified supplement. **Declaration filed by counsel Attorney Brown indicating a settlement was made and the petitioner agreed to pay Attorney Gitnick's claim of \$4,129.10.** Claim is outstanding as there are no liquid assets to pay the claim.
2. All heirs waive accounting.
3. Statutory fees are \$15,026. How are fees to be paid? There are no liquid assets. **Supplement filed and petitioner and attorney will wait for payment of statutory fees until real property is refinanced or sold.**
4. Petitioner requests authority to withhold \$1,000 in closing costs.
5. Need proof of payment of Graduated Filing Fee
6. **As real property must be sold and/or refinanced to satisfy creditors and estate expenses, it does not appear that the estate is yet in a position to**

close. The court may wish to continue this matter for a period of 6 months to allow the petitioner to liquidate the real property.

RECOMMENDATION:

Continue matter to allow personal representative to liquidate real property. Set next accounting review date for 4/25/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002521

CASE NAME: ESTATE OF CHARLOTTE P HAMILTON

HEARING:
OSC re: CONTEMPT

COUNSEL:
ELIZABETH HAMILTON (PET)...MICHAEL LEE GILMORE
CHARLOTTE P HAMILTON (DEC)...
NEIL D GITNICK (TP)...JOHN CLARK BROWN

GENERAL INFORMATION continued from 8-18-06. Mr. Gilmore ordered to personally appear. Mr. Ripley to give notice. No proof of notice in the file. Nothing new filed.

THIS CASE IS SET FOR HEARING ON O.S.C. re contempt

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter was set when petition failed to file status report or accounting. Court had to issue a citation and have it personally served in order to get cooperation from the petitioner. Cost to the court was \$40.

RECOMMENDATION:
Sanction petitioner not less than \$40 to cover costs of citation.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002615

CASE NAME: MTR OF LUIS JEAN ALEXANDER

HEARING:

Motion re: REQUEST FINDING OF FRAUD ON GERALD ALEXANDER filed by
Petitioner FELICIA ALEXANDER

COUNSEL:

GERALD ALEXANDER	(PET)...DAVID W BROWN
LOIS JEAN ALEXANDER	(DEC)...
FELICIA ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
MICHAEL ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
PHIAS T ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
ENOCH ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
STACY BURNLEY	(PET)...CALDWELL, KENNEDY & PORTER, A.
YOLANDA PERRYMAN	(PET)...CALDWELL, KENNEDY & PORTER, A.
CYNTHIA ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION: This is an unopposed motion and thus, no calendar notes will be prepared.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002615

CASE NAME: MTR OF LUIS JEAN ALEXANDER

HEARING:
Petition to determine succession to Real Property

COUNSEL:

GERALD ALEXANDER	(PET)...DAVID W BROWN
LOIS JEAN ALEXANDER	(DEC)...
FELICIA ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
MICHAEL ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
PHIAS T ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
ENOCH ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.
STACY BURNLEY	(PET)...CALDWELL, KENNEDY & PORTER, A.
YOLANDA PERRYMAN	(PET)...CALDWELL, KENNEDY & PORTER, A.
CYNTHIA ALEXANDER	(PET)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION

On 10/19/05, the court vacated the prior order determining succession to real property signed 2/17/05.

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property filed by Felicia Alexander (daughter of decedent)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner alleges decedent's other children have assigned their interest in the estate to petitioner with the exception of Gerald Alexander. A motion to find that Gerald Alexander committed fraud on this court is also before the court (prior matter) and that Gerald Alexander should be specifically excluded from distribution of this estate.
2. Need to file notice of hearing and proof of service on Attorney David Brown.

RECOMMENDATION: A determination of the motion re fraud will need to be made and then court's discretion re this petition once notice has been given

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002670

CASE NAME: ESTATE OF DAVID EUGENE GLASPER

HEARING:
Hearing Re: STATUS CONFERENCE.

COUNSEL:
LOUVONIA THOMPSON (PET)...
DAVID EUGENE GLASPER (DEC)...
DE ANDRE GLASPER (OBJ)...EDWARD G. OPERINI
DION GLASPER (EDWARD G. OPERINI)...EDWARD G.

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON status conference

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Ms. Thompson was ordered to provide an accounting to Mr. Operini by 4-24-06.
2. Nothing new has been filed.

RECOMMENDATION:
Determine status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002707

CASE NAME: ESTATE OF PEARL MURRIAL KREMSER

HEARING:
Hearing Re: 1ST&FINAL ACCT/REPORT;PTN FOR FINAL DISTRIBUTION.

COUNSEL:
FRED JAHN (PET)...THE HEGNER LAW FIRM
PEARL MURRIAL KREMSER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final accounting and petition for distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file Notice of Hearing and proof of service.
2. Petitioner requests statutory compensation of \$5,802.57. Ok.
3. Attorney requests statutory fees of \$5,802.57. Ok.
4. Petitioner requests authority to withhold \$1,200 for closing costs. Ok.
5. Need to file Graduated filing fee statement per CRC 7.552 even if correct filing fees are paid.

RECOMMENDATION:
If approved, set hearing on filing receipts/final discharge for 12/5/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002723

CASE NAME: ESTATE OF MICHAEL J NICHOLS

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

SEAN C NICHOLS	(PET)...PRO/PER
MICHAEL J NICHOLS	(DEC)...
STEVEN J NICHOLS	(PET)...PRO/PER
STACY S NICHOLS	(PET)...PRO/PER

GENERAL INFORMATION continued from 5-12-06. Petitioner has filed bank statements, but none of them match the figures contained in the inventory and appraisal.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has now been filed. However, need copies of bank statements to support date of death balances per local rule 908.

RECOMMENDATION:

Require copies of bank statements that match the inventory and appraisal.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

CASE #: VPRVS002723

CASE NAME: ESTATE OF MICHAEL J NICHOLS

HEARING:

Petition for FOR REVOCATION OF PROBATE *

COUNSEL:

SEAN C NICHOLS (PET)...PRO/PER

MICHAEL J NICHOLS (DEC)...

STEVEN J NICHOLS (PET)...PRO/PER

STACY S NICHOLS (PET)...PRO/PER

GENERAL INFORMATION continued from 5-12-06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON petition to revoke probate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Did petitioner have summons issued? If so was it personally served on the personal representative, all heirs and devisees?
2. Although the petition is not all together clear, it appears that the petitioner is alleging that the will that was admitted was drawn on the same day as a trust. That the trust contains the real property of the estate (not sure if this means that the only assets of the estate would be the real property). That the will directs that the residue be added to the trust and that it is not the intent of the settlor that the property added to the trust subject the property to the jurisdiction of the court.
3. What the petitioner has is a pour over will. What the statement in the will means is that the property that is not in the trust shall be transferred to the trust and that once into the trust the trust shall not be under the recurring jurisdiction of the court. That has nothing to do with the necessity to probate estate assets and order their transfer into the trust. This does not appear to be a valid basis for revocation of the probate of the will.
4. There is no objection in the file at the time of this review.

RECOMMENDATION:

Require the petitioner to have a summons issued and have it properly served. Once that is done invite the petitioner to provide points and authorities to support his position. Require the petitioner to file a copy of the trust.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002754

CASE NAME: MATTER OF KATHRYN Y BARRETT, A MISSING PERSON

HEARING:
Hearing Re: FILING OF INVENTORY/APPRAISAL.

COUNSEL:
WILLIAM P BARRETT (PET)...EDWARD G. OPERINI
KATHRYN Y BARRETT (DEC)...

GENERAL INFORMATION Continued from 6-23-06. Clerk has given notice. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The petitioner alleges that the assets of the estate are in a trust and that there are no assets to be inventoried. Petitioner therefore requests that the court waive the requirement of the inventory and appraisal. If there are no assets to appraise and the decedent has now been declared dead, so that the petitioner can complete the transfer of assets in the trust, then why is this estate still open? File a verified supplement.

RECOMMENDATION:

Require petitioner to show why this estate should remain open if there are no assets in the estate. If there is no good cause then the court should require that the petitioner file a petition to close a no asset estate. If there is good cause to keep the estate open then require the petitioner to file an inventory and appraisal, even if it shows no assets.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002792

CASE NAME: ESTATE OF PAULINE BEULAH CAMPBELL

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
BARBARA HILL (PET)...THE HEGNER LAW FIRM
PAULINE BEULAH CAMPBELL (DEC)...

GENERAL INFORMATION continued from 4-7-06, 6-16-06 and 6-30-06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set hearing in accord with Pr. C. §§ 2614.5 and/or 8505.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002823

CASE NAME: ESTATE OF GLENN ARNOLD STRAUBE

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

BRYAN ELLIOT STRAUBE (PET)...DAVID W BROWN
GLENN ARNOLD STRAUBE (DEC)...
ADVANCE INHERITANCE LLC (PET)...PRO/PER
JAMES (PET)...JAMES L LEESTMA

GENERAL INFORMATION continued from 5-12-06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set hearing in accord with Pr. C. §§ 2614.5 and/or 8505.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002828

CASE NAME: ESTATE OF DEBRA ELLEN MOSBY

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
BRANDON LEE (PET)...PATTON FAITH & SANDFORD
DEBRA ELLEN MOSBY (DEC)...

GENERAL INFORMATION continued from 5-12-06. Nothing new filed on inventory and appraisal

THIS CASE IS SET FOR HEARING ON Filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has been filed.

RECOMMENDATION:
This matter may go off calendar. See matter on next page.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002828

CASE NAME: ESTATE OF DEBRA ELLEN MOSBY

HEARING:

Hearing re: First and final report on waiver of account

COUNSEL:

BRANDON LEE (PET)...PATTON FAITH & SANDFORD
DEBRA ELLEN MOSBY (DEC)...

**NOTE MATTER ON PRECEDING PAGE MUST BE CLEARED BEFORE THIS MATTER
CAN BE CONSIDERED.**

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON first and final report on waiver of account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Sole heir waives accounting.
2. Statutory fees are \$9,301.42. Petitioner waives fees.
3. There are no liquid assets. How is counsel to be paid?
4. File a Graduated Filing Fee Schedule pursuant to California Rule of Court, Rule 7.552. Any additional fees owed must be paid before the final report and/or account can be approved.
5. File order after hearing.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of receipts and final discharge order for 12-5-07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002835

CASE NAME: MTR OF RAYMOND PAUL SWIFT

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
LINDA A GAINES (PET)...DAVID W BROWN
RAYMOND PAUL SWIFT (DEC)...
ADVANCE INHERITANCE, LLC (TP)...JAMES L LEESTMA

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory and appraisal filed, but not properly completed. Attorney signed where petitioner should sign and petitioner signed where attorney should sign. The significance of this is that they are attesting to things not necessarily within their knowledge. File a properly completed front page of the inventory and appraisal
2. File proof of service on company requesting special notice.

RECOMMENDATION:

Require a properly completed front page to the inventory and appraisal. Require proper notice.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002950

CASE NAME: ESTATE OF VIVIAN MCKITTRICK

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
THOMAS C JORDAN (PET)...HOLLEY & GALEN
VIVIAN MCKITTRICK (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial inventories No. 1, 2, & 3 are filed. Need final inventory.
2. Bond of \$340,000 is found insufficient as estate value is now \$549,214. Bond should be increased by \$210,000 for a total bond of \$550,000.

RECOMMENDATION: Set hearing re bond (suggest 30 days).
When an inventory and appraisal is not filed as ordered, court may set hearing in accord with Pr. C. §§ 2614.5

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002955

CASE NAME: MTR OF MARY S CARDWELL TRUST

HEARING:

Petition for FOR REMOVAL OF COTRUSTEE AND APPT OF SUCCESSOR
COTRUSTEE

COUNSEL:

JUDY ANN HILL	(PET)...	FULLERTON LEMANN SCHAEFFER & D
MARY S CARDWELL	(DEC)...	
BOBBY DEE COX JR	(RES)...	ZUMBRUNN LAW CORPORATION

GENERAL INFORMATION Continued from 4-21-06. At the time of the hearing on 4-21 the court ordered Mr. Cox to file an accounting and deliver a copy to Mr. Dominick on or before 6-2-06. Continued from 6-23-06. Continued from 8-4-06. On 8-4 the parties stipulated to the removal of the trustee and appointment of a successor trustee. The court reserved jurisdiction over accounting and surcharge.

THIS CASE IS SET FOR HEARING ON petition for removal of the co-trustee, appointment of a successor co-trustee, compel accounting and to surcharge co-trustee for damages to the trust.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Notice appears to be complete.
2. Petitioner alleges that the settlor died on 2-26-05, at which time the trust became irrevocable. Petitioner and respondent Bobby Dee Cox, Jr. became co-trustees. Respondent sold the primary asset of the estate and realized \$524,000 from the sale. The assets were to be divided into 3 parts for the 3 remainderman beneficiaries. It is alleged that respondent has converted \$375,000 of that money to his own use.
3. Petitioner alleges that despite written demand the respondent has refused to provide an accounting within 60 days of the demand and that no accounting has been provided within the last 6 months. Pr.C. § 17200(b) indicates that the court can require an accounting when written demand has been made and the trustee

fails to comply within 60 days and no report or account has been made within 6 months preceding the request. A supplement was filed establishing that no accounting of the trust has been made within the last 6 months. **On 4-21-06 the court ordered Mr. Cox to file and accounting and deliver a copy to Mr. Dominick on or before 6-2-06.**

4. Petitioner alleges that it is her duty as a co-trustee under the terms of the trust to ensure that the co-trustee does not commit a breach of trust. See Division IX section F of the trust. Marked with yellow tab.
5. The court can compel redress for breach of fiduciary duty. Pr.C. § 17200(b)(12).
6. Response is filed by Bobby Dee Cox, Jr., [other] co-trustee admits that demands for an accounting have been made and respondent has not yet provided an accounting, as well as denied paragraphs 7 and 9 of the petition. Respondent clarifies that the correct name of the trust is "The Mary S. Caldwell Trust". Respondent further requests the Court remove petitioner, Judy Ann Hill as Co-Trustee and deny the relief sought in the petition. It should be noted that the request to remove Judy Ann Hill is not properly before the court. This would need to be brought in Mr. Cox's own petition, not in a response to a petition filed by Ms. Hill.

RECOMMENDATION:

Determine status on accounting and surcharge.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002988

CASE NAME: ESTATE JAMES BARNETT WOOD

HEARING:
Spousal Property Petition hearing.

COUNSEL:
ANGELINE M WOOD (PET)...DAVID W BROWN
JAMES BARNETT WOOD (DEC)...

GENERAL INFORMATION continued from 5-12-06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON spousal property petition.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Section 5(a)(2) of the petition is not completed. **Amended petition is filed with 5(a)(2) completed.**
2. File attachment 7 setting forth the basis upon which petitioner contends that she is entitled to succeed to the property in question. **Amended petition is filed and petitioner is the surviving spouse of decedent. Petitioner was married to decedent for 31 years.**

RECOMMENDATION:
RFA. No future dates need be set

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003197

CASE NAME: ESTATE OF IRENE M GRAHAM

HEARING:
Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

	COUNSEL:
DAVID T GRAHAM	(PET)...PRO/PER
IRENE M GRAHAM	(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. File is procedurally complete.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-4-07. Set hearing for filing of status report and/or accounting for 12-5-07. Any accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003198

CASE NAME: ESTATE OF BARBARA L SANNE

HEARING:
Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:
DONNA G VENTURA (PET)...CALDWELL, KENNEDY & PORTER, A.
BARBARA L SANNE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to administer, with full I.A.E.A. authority and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond.
2. File is procedurally complete.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-4-07. Set hearing for filing of status report and/or accounting for 12-5-07. Any accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003203

CASE NAME: MATTER OF RAY H WHITE JR.

HEARING:
Petition to determine succession to Real Property

COUNSEL:
ELIZABETH P WHITE (PET)...DIANA CARLONI NOURSE
RAY H WHITE JR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition appears procedurally complete.
2. There is no objection in the file.

RECOMMENDATION:
Recommended for approval absent objection.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003204

CASE NAME: ESTATE OF FRED S BARTON SR

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:

DORIS M RELYEA (PET)...LUNDBERG & BAXTER LLP
FRED S BARTON SR. (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for probate of will and for letters of administration with will annexed, with full power and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Named administrators decline to act and declinations have been filed.
2. All heirs waive bond.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-4-07. Set hearing for filing of status report and/or accounting for 12-5-07. Any accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE STANFORD E. REICHERT

DATE: 09/29/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02238

CASE NAME: ESTATE OF PAUL GILBERT

HEARING:
Hearing Re: FILING OF RECEIPTS/FINAL DISCHARGE.

COUNSEL:
PAULETTE GILBERT (PET)...TEDDIE J RANDALL
PAUL GILBERT (DEC)...

GENERAL INFORMATION continued from 6-30-06. Clerk has given notice.

THIS CASE IS SET FOR HEARING ON filing of receipts and final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file receipt from Henry Gilbert.
2. Receipt from Paul Gilbert filed. However, the receipt is signed by Marcella Gilbert c/o Paul Gilbert. This is insufficient. File a receipt signed by beneficiary Paul Gilbert or copy of canceled check or proof of signature authority for beneficiary.
3. Final Order for Discharge not filed.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr. C. § 8505